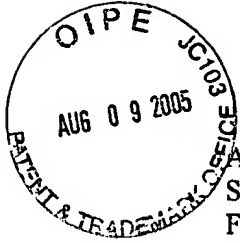


COPY

Attorney's Docket No.: 17601-005003 / BB 067083.0283



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick

Art Unit : 3672

Serial No. : 10/687,362

Examiner : Daniel P. Stephenson

Filed : October 14, 2003

Title : CAVITY POSITIONING TOOL AND METHOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CDX GAS, LLC, a limited liability company, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

☒ An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 015415, Frame 0568 on December 1, 2004, and a copy thereof is attached.

☐ A chain of title from the inventors of the patent application identified above, to the current assignee as shown below:

1. From name of assignor to name of assignee. The document was recorded in the Patent and Trademark Office at Reel reel no., Frame frame, or a copy thereof is attached.

2. From name of assignor to name of assignee. The document was recorded in the Patent and Trademark Office at Reel reel no., Frame frame, or a copy thereof is attached.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EY53876631US

March 2, 2005
Date of Deposit

08/11/2005 MWOLDGE1 00000053 10687362

01 FC:1814

130.00 OP

Best Available Copy

COPY

Applicant : Joseph A. Zupanick
Serial No. : 10/687,362
Filed : October 14, 2003
Page : 2 of 3

Attorney's Docket No.: 17601-005003 /
BB 067083.0283

to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,412,556, whereby the patent granted on this application and U.S. Patent No. 6,412,556 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,412,556.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,412,556 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,412,556.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$130 for the required fee pursuant to 37 CFR §1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Best Available Copy

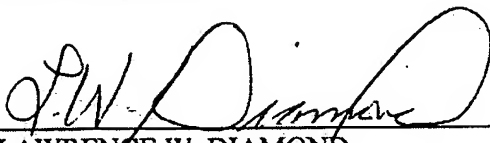
COPY

Applicant : Joseph A. Zupanick
Serial No. : 10/687,362
Filed : October 14, 2003
Page : 3 of 3

Attorney's Docket No.: 17601-005003 /
BB 067083.0283

CDX GAS, LLC

Date: Feb 16, 2005



LAWRENCE W. DIAMOND

Title: Vice President

Joshua A. Griswold, Reg. No. 46,310
Fish & Richardson P.C.
5000 Bank One Center
1717 Main Street
Dallas, Texas 75201
Telephone: (214) 292-4034
Facsimile: (214) 747-2091

90104964.doc

Best Available Copy